

12-CV-01261-SUMM

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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THOMAS R. DANIEL, II,

Plaintiff,

v.

FEDERAL GOVERNMENT U.S.  
ARMED FORCES,

Defendant.

Case No. C12-1261-JLR

ORDER OF DISMISSAL

The Court, having reviewed the plaintiff's proposed complaint and application to proceed *in forma pauperis* in this civil rights action, the Report and Recommendation of the Honorable James P. Donohue, and the balance of the record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

(2) Plaintiff's complaint is DISMISSED without prejudice, and his application to proceed *in forma pauperis* is DENIED as moot.

(3) The Clerk is directed to send copies of this Order to the plaintiff and to Judge Donohue.

DATED this <sup>RD</sup> 3 day of Sept., 2012.

  
JAMES L. ROBART  
United States District Judge